



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PETENTEE: WOOD, Sandra L.

PATENT NO.: 6,923,775

ISSUED: 2 August 2005

SERIAL NO. 10/643,305

FILED: 20 August 2003

TITLE: BODY STROKING APPARATUS

PETITION FOR A QUESTION NOT SPECIFICALLY PROVIDED FOR
UNDER 37 C.F.R. § 1.182

Mail Stop Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

In accordance with 37 C.F.R. § 1.182, Applicant petitions for a question not specifically provided for, namely, re-publication of U.S. Patent No. 6,923,775 with corrected drawings.

1. U.S. Patent No. 6,923,775 (the '775 patent) was issued with informal hand-drawn figures as the formal drawings. Applicant respectfully contends that compliant formal drawings should be re-published in the '775 patent. Proper replacement sheets are attached hereto for consideration and re-publication.
2. Formal drawings were not required by the Examiner in the Notice of Allowability of March 8, 2005. Applicant has no explanation for the acceptance of the hand-drawn figures, being replete with informalities in scale, line quality, proportion and clarity. A copy of the Notice of Allowability is attached hereto.
3. Applicant is aware that formal drawings should have been submitted concurrent with the transmittal of the issue fee on May 23, 2005. However, Applicant was not instructed to submit or to prepare formal drawings. It is Applicant's attorney's mistake for failing to further review the acceptance of the drawings. However, it is

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also a U.S. Patent and Trademark Office mistake for failing to object to the informal drawings and providing the reminder in the Notice of Allowability.

4. Applicant has always intended for the originally submitted drawings to be informal so as to be amendable for changes requested by the Examiner during examination. Applicant did not intend for the informal hand-drawing to be used as the final formal drawings for publication as the Official Letters Patent.
5. The informal drawings materially affect the Applicant because the features and subject matter of the patent are not shown in the proper format. The notice function of the U.S. Patent is not realized by the informal drawings.
6. Applicant has diligently reviewed and filed the present Petition less than one month since discovering the error in the '775 patent on August 2, 2005.

Applicant respectfully requests the Examiner to grant the Petition for a Question Not Specifically Provided For. Applicant files herewith the replacement sheets for the formal drawings that should have been required in the response to the Notice of Allowability. Applicant did not intend for the informal hand-drawings to become the formal drawings. Applicant respectfully requests re-publication of U.S. Patent No. 6,923, 775 with the formal drawings. Applicant has timely filed the present Petition as soon as the mistake was realized at publication of the '775 patent on August 2, 2005.

In the alternative, Applicant respectfully requests consideration of the present petition as a request for a Certificate of Correction.

Applicant petitions for a question not specifically provided for, namely, re-publication of U.S. Patent No. 6,923, 775 with the proper replacement drawing sheets in the above-identified patent application. Pursuant to 37 C.F.R. § 1.17(h), the government fee of \$400 is enclosed herewith.

SEP 01 2005

Date

Respectfully submitted,



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PATENTEE: WOOD, Sandra L.

PATENT NO.: 6,923,775
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TITLE: BODY STROKING APPARATUS

CERTIFICATE OF MAILING

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Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

PETITION FOR A QUESTION NOT SPECIFICALLY PROVIDED FOR
UNDER 37 C.F.R. § 1.182

is being deposited with the United States Postal Service with sufficient postage as first class mail
in an envelope addressed to:

Mail Stop Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

SEP 01 2005

on _____.

SEP 01 2005

Date

Respectfully submitted,

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Reg. No. 30,627
Andrew W. Chu
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Notice of Allowability



Application No.

10/643,305

Examiner

Michael Brown

Applicant(s)

WOOD, SANDRA L.

Art Unit

3764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 12/20/04.
2. ☒ The allowed claim(s) is/are 21-29.
3. ☒ The drawings filed on 20 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1/16/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Michael A. Brown

**MICHAEL A. BROWN
PRIMARY EXAMINER**